

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INDEX # 07CIV8166
FILED ON SEPTEMBER 18, 2007

KONINKLIJKE PHILIPS ELECTRONICS N.V. and U.S. PHILIPS CORPORATION,

vs

Plaintiff(s)/Petitioner(s)

ADVANCED DIGITAL REPLICATIONS, INC., et al

Defendant(s)/Respondent(s)

STATE OF NEW JERSEY, COUNTY OF MIDDLESEX, SS.:

AFFIDAVIT OF SERVICE

Brian McGackin, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides at Old Bridge, NJ. On October 3, 2007 at 11 28 PM at 4 Wispering Woods, Oakland, NJ 07436, deponent served the within Summons in a Civil Action, Complaint for Patent Infringement, Rule 7.1 Statement, Individual Practices of Magistrate Judge George A. Yanthis, Individual Rules of Practice of Judge Kenneth M. Karas on: JONATHAN RESNICK

Defendant (herein called recipient) therein named

INDIVIDUAL ☒ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

SUITABLE AGE PERSON ☐ By delivering a true copy of each to personally, a person of suitable age and discretion. Deponent asked said individual if they were able to accept on behalf of said recipient and they responded with an affirmative. Said premises is recipient's [] actual place of business [] dwelling house or usual place of abode within the state.

AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's [] actual place of business [] dwelling house or usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion thereat, having called there: on the day of at on the day of at on the day of at

MAILING COPY ☐ Deponent also enclosed a copy of the said document(s) in a postpaid sealed wrapper, First Class Mail, marked "Personal and Confidential" and not indicating that the communication was from an attorney or concerned an action against the recipient(s). Said envelope was properly addressed to recipient at recipient's last known address at and deposited the same in a post office under exclusive care and custody of the United States Postal Service within New York State on

DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows: Gender: Male Color of skin: White Color of hair: Brown Age: 41 - 45 Yrs. Height: 5' 9" - 5' 10" Weight: 146 - 180 Lbs. Other:

WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

MILITARY SERVICE ☒ Deponent asked the person spoken to whether he/she was presently in the military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform. ☐ Deponent asked the person spoken to, whether the recipient was in active military service of the United States Government or of the State of New York in any capacity whatever and received a negative reply. ☒ The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in the military service of New York State or the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on this 4th day of October, 2007

PHILIP SANFORD
Notary Public - New Jersey
My Commission Expires Feb. 18, 2010
NOAHY PUBLIC, State of New York
Notary Public - New York
My Commission Expires January 20, 2010

Brian McGackin
Server's Lic. #
Affidavit # 9992938

ATTORNEY: Mayer, Brown, Rowe & Maw, Ph: 212-506-2721
ADDRESS: 1675 Broadway New York NY 10019-5820 File No.:

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